

Message Text

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PAGE 01 GENEVA 11178 201239Z
ACTION STR-07

INFO OCT-01 AF-10 IO-13 ISO-00 STRE-00 AGRE-00 CEA-01
CIAE-00 COME-00 DODE-00 EB-08 FRB-03 H-01 INR-10
INT-05 L-03 LAB-04 NSAE-00 NSC-05 PA-01 CTME-00
AID-05 SS-15 ITC-01 TRSE-00 ICA-11 SP-02 SOE-02
OMB-01 DOE-15 JUSE-00 /124 W
-----115269 210529Z /14

R 201212Z JUL 78
FM USMISSION GENEVA
TO SECSTATE WASHDC 2334
INFO AMEMBASSY PRETORIA

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PASS STR ELECTRONICALLY

E.O. 11652: N/A
TAGS: ETRD, GATT, SF
SUBJECT: ARTICLE XXVIII NEGOTIATIONS - SOUTH AFRICA

REF: (A) STATE 57741, (B) GENEVA 3142, (C) GENEVA 3336,
(D) GENEVA 4060

1. SOUTH AFRICA HAS AGREED TO FURNISH WRITTEN ASSURANCES ON LICENSING REQUESTED REF A. CONCERNING SIMILAR UNDERSTANDING ON SURCHARGES, THE SOUTH AFRICAN DEL SAYS THAT SUCH ASSURANCES WOULD BE INAPPROPRIATE BECAUSE SOUTH AFRICA DOES NOT APPLY ANY IMPORT SURCHARGE ON GATT CONCESSIONS AND HAS NO INTENTION OF DOING SO. SINCE THE COMPENSATORY CONCESSION IN QUESTION (EX BTN 84.18) WOULD BECOME BOUND, NO SURCHARGES WOULD BE APPLIED TO IT AS A MATTER OF SA POLICY.

2. THE ASSURANCES THAT SOUTH AFRICA IS WILLING TO GIVE ON LICENSING CORRESPOND TO THOSE FURNISHED AT THE CON-

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CLUSION OF THE 1970-74 ARTICLE XXVIII:5 NEGOTIATIONS
AND READS AS FOLLOWS: BEGIN TEXT

"THE SOUTH AFRICAN GOVERNMENT HAS TAKEN NOTE OF THE IMPORTANCE THE UNITED STATES ATTACHES TO APPROPRIATE AND PROMPT ACTION BY THE GOVERNMENT OF SOUTH AFRICA TO BRING ITS CURRENT IMPORT CONTROL MEASURES INTO FULL

CONFORMITY WITH ITS GATT OBLIGATIONS.

"IN THIS REGARD THE SOUTH AFRICAN GOVERNMENT WISHES TO CONFIRM ITS POLICY TO LIBERALIZE ITS QUANTITATIVE RESTRICTIONS PROGRESSIVELY AS IT SUCCEEDS WITH ITS NEGOTIATIONS UNDER ARTICLE XXVIII, WHICH ARE AIMED AT SECURING THE NECESSARY FREEDOM TO GRANT A REASONABLE MEASURE OF TARIFF PROTECTION ON A SELECTIVE BASIS TO DESERVING SOUTH AFRICAN INDUSTRIES.

"THE SOUTH AFRICAN GOVERNMENT ACCORDINGLY UNDERTAKES TO GUARANTEE THE FREE ISSUANCE OF IMPORT LICENSES WITH RESPECT TO:

(A) LABORATORY CENTRIFUGES (EX TARIFF HEADING 84.18); AND

(B) THOSE EVAPORATORS AND CONDENSERS (EX TARIFF HEADING 84.15) IN THE CASE OF WHICH THE EXISTING CONCESSION IS TO BE WITHDRAWN FROM SCHEDULE XVIII.

"THIS UNDERTAKING IS GIVEN WITHOUT PREJUDICE TO SOUTH AFRICA'S FUTURE RIGHTS UNDER THE GENERAL AGREEMENT. IT IS UNDERSTOOD THAT THE GOVERNMENT OF THE UNITED STATES RESERVES ITS RIGHTS UNDER THE GENERAL AGREEMENT WITH RESPECT TO QUANTITATIVE RESTRICTIONS NOT SPECIFICALLY COVERED BY THIS UNDERTAKING." END TEXT
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3. SOUTH AFRICAN DEL NOTES THAT WE HAVE NOT RESPONDED TO SOUTH AFRICAN OFFER OF 20 FEBRUARY (REF B). WE NOTE ALSO THAT SOUTH AFRICA HAS HAD TO INSTITUTE THE WITHDRAWAL OF SOME TARIFF RATES AND HAS SIMULTANEOUSLY INSTITUTED COMPENSATORY CONCESSIONS ON SOME OF ITS OFFERS (REFS C AND D).

4. COPY OF LOWRY-LAVOREL JULY 12 LETTER POUCHED STR (STEWART) AND EB/ITP/OT/TA (KOPP).

5. ACTION REQUESTED: RESPONSE TO SOUTH AFRICAN FEBRUARY 20 OFFER REF B AND AUTHORITY AS PER REF A TO SIGN AGREEMENT WITH RESPECT TO SOUTH AFRICA'S WITHDRAWAL OF CONCESSIONS ON CERTAIN EVAPORATORS AND CONDENSERS AND SOUTH AFRICA'S COMPENSATORY OFFER ON BTN EX 84.18 - LABORATORY CENTRIFUGES. SORENSON

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Message Attributes

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Control Number: n/a
Copy: SINGLE
Draft Date: 20 jul 1978
Decaption Date: 01 jan 1960
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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
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Disposition History: n/a
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